

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

DAPHNIE NEWMAN BOUDY

PLAINTIFF

v.

CIVIL ACTION NO. 5:23-cv-30-KS-BWR

**MCCOMB SCHOOL DISTRICT,
MCCOMB SCHOOL DISTRICT
TRUSTEES, And JAMES HARVEY,
FORMER INTERIM PRINCIPAL
AND NOW ASSISTANT PRINCIPAL
AND IN HIS OFFICIAL CAPACITY**

DEFENDANTS

ORDER TO SHOW CAUSE

BE IT REMEMBERED that by Order entered May 30, 2024, the Court ordered that an examination be done of the Plaintiff by licensed forensic psychologist or psychiatrist within thirty-five (35) days of the date of the order. The Court further ordered that the examining physician or psychologist will be one who has not seen Plaintiff before and that all costs of the examination will be borne by the Plaintiff. Further, the Court ordered that the Plaintiff, Ms. Boudy, and the Defendants, through their attorneys, were directed to consult with one another within five (5) days of the order or by the June 5th, to discuss the doctor to perform the examination and if one could not be agreed on, parties were to submit a list of three suggested forensic psychologists or psychiatrists, together with their qualifications, to be considered by the Court, for the examination. Ms. Boudy did not meet with nor consult with the attorneys for the Defendants, although the attorneys for the Defendants responded with their availability. Also, Ms. Boudy was sent an email requesting a response for availability of parties on Friday, June 7, 2024, by email from the judge's chambers sent on June 6, 2024, at 4:07 P.M. Ms. Boudy responded to this email by automatic reply and the attorneys for the Defendants responded that

they were available. Also, on June 6, 2024, a voice message was left at Ms. Boudy's number of record which is (985)285-8712. The Plaintiff was instructed to respond to the court order.

Plaintiff has not responded to the order as of this date.

Also, on June 6, 2024, at 2:10 P.M., an email from the undersigned chambers was sent to Defendant and was responded to by Ms. Boudy through an automatic reply and that she was out of town with limited access to cellphone and internet services.

Also, on June 10, 2024, at 4:09 P.M., an email was sent to case participants requesting a teleconference with the parties. The plaintiff did not respond and Attorney Joyner for the defendants responded with her availability.

Also, on June 10, 2024, at 3:30 P.M., a phone call was placed to Ms. Boudy's phone number of record. Voicemail was left regarding the telephone conference with instructions to call the undersigned's chambers telephone number.

As of today, June 12, 2024, at 10:05 A.M., the Court has heard nothing from Ms. Boudy nor anyone representing her. She is proceeding pro se in this case. It should be noted that Ms. Boudy has had significant communications with the Fifth Circuit Helpdesk on a regular basis.

Now, therefore, it is hereby ordered by this Court, that Daphnie Newman Boudy, be and appear before this Court at 1:00 P.M. Central Daylight Time, Tuesday, June 18, 2024, in Courtroom 1, Colmer Federal Building, Hattiesburg, Mississippi, to show cause why she has not participated or responded to the Court's orders in any way.

The Court further notes that Plaintiff has signed numerous pleadings, motions and other papers and pursuant to Rule 11 of Federal Rules of Civil Procedure she could be opening herself up to sanctions for violating Rule 11.

Ms. Boudy is to be before this Court at the above appointed time to show cause, if she can show any cause, why she has failed to comply with the Court orders.

SO ORDERED this the 12th day of June 2024.

/s/Keith Starrett

KEITH STARRETT

SENIOR UNITED STATES DISTRICT JUDGE